

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHAN PAUL HANNA,

Petitioner,

File No. 1:03-CV-443

v.

HON. ROBERT HOLMES BELL

JANETTE PRICE,

Respondent.

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ORDER

In accordance with the opinion entered this date,

IT IS HEREBY ORDERED that Respondent's objections to the Magistrate Judge's August 11, 2005 Report and Recommendation (Docket #42) are **OVERRULED** and the Report and Recommendation is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Petitioner is **GRANTED** a conditional writ of habeas corpus. Within 90 days of the entry of this judgment, the State of Michigan must provide Petitioner a new trial or release him.

Date: November 17, 2005

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE